

## Notice of Allowability

Application No.

09/346,884

Examiner

Anh-Vu H. Ly

Applicant(s)

SHAH, NIRAT BHUPESH

Art Unit

2616

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Pre-Appeal Brief Conference Decision dated May 17, 2007.
2. ☒ The allowed claim(s) is/are 1-13 and 17-19 renumbered as 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Julie L. Reed on July 12, 2007.

The application has been amended as follows:

***In The Claims***

Claim 1, in lines 2, 5, 9 and 13, "enabled" and "may be" have been deleted. Further, in line 10, "the remote device" has been changed to --the remotely-located device--.

Claim 5, in line 2, "enabled" has been deleted.

Claims 7 and 11, in line 2, "is enabled" has been deleted.

Claim 8, in line 1, "in claim 5" has been changed to --in claim 7--. Further, in line 1, "is enabled" has been deleted.

Claim 9, in line 2, "is enabled" has been deleted. Further, in line 2, "the voice information" has been changed to --voice information--.

Claims 10 and 13, in line 2, "the voice information" has been changed to --voice information--.

***Allowable Subject Matter***

2. Claims 1-13 and 17-19 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art does not teach or fairly suggest that during communications between the remotely-located device and the DSP module, the DSP module to renegotiate a second type of codec, wherein the renegotiation is triggered upon detection of degradation in voice quality by the remote device, and the DSP module to dynamically switch to the second codec only if the device determines that the second codec is available therein, as specified in independent claims 1 and 17.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bjelland et al (US Patent No. 6,856,612 B1) discloses methods and systems for call routing and codec negotiation in hybrid voice/data/Internet wireless systems.

Knappe et al (US Patent No. 6,603,774 B1) discloses signaling and handling method for proxy transcoding of encoded voice packets in packet telephony applications.

Shaffer et al (US Patent No. 7,023,839 B1) discloses system and method for dynamic codec alternation.

Shaffer et al (US Patent No. 6,757,277 B1) discloses system and method for coding algorithm policy adjustment in telephony-over-LAN networks.

Shaffer et al (US Patent No. 6,377,573 B1) discloses method and apparatus for providing a minimum acceptable quality of service for a voice conversation over a data network.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H. Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

avl

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER

2/14/07